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7 Honorable Thomas S. Zilly
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14 UNITED STATES DISTRICT COURT
15 WESTERN DISTRICT OF WASHINGTON
16 AT SEATTLE
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19 OMNI INNOVATIONS, LLC, a
20 Washington Limited Liability
21 company,

22 v. Plaintiff,

23 INSURANCE ONLY, INC.;
24 MICHAEL WEDEKING, and his
25 marital community; PATRICK
WEDEKING, and his marital
community,

26 Defendants.
27

28 NO. CV06-1210TSZ
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31 **DEFENDANTS' ANSWER TO
32 COMPLAINT**

33 COME NOW defendants and for answer to plaintiff's Complaint, admit, deny
34 and allege as follows:

35 Answering Paragraph 1 of the Complaint, defendants admit the allegations
36 contained therein.

37 Defendants' Answer to Complaint

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39 **RETTIG OSBORNE FORGETTE, LLP**
40 6725 W. CLEARWATER AVENUE
41 KENNEWICK, WASHINGTON 99336
42 TELEPHONE (509) 783-6154

1 Answering Paragraph 2 of the Complaint, defendants deny the allegations
2 contained therein.

3 Answering Paragraph 3 of the Complaint, defendants admit that Michael
4 Wedeking and Patrick Wedeking are shareholders of Insurance Only, Inc., and
5 manage the day-to-day operations of the business. Defendants further admit that
6 Insurance Only has transacted business in the State of Washington. All remaining
7 allegations are denied.

8 Answering Paragraph 4 of the Complaint, defendants deny the allegations
9 contained therein.

10 Answering Paragraph 5 of the Complaint, defendants deny the allegations
11 contained therein.

12 Answering Paragraph 6 of the Complaint, defendants deny the allegations
13 contained therein.

15 Answering Paragraph 7 of the Complaint, defendants are without knowledge
16 or information sufficient to form a belief as to the truth of the matters asserted therein,
17 and therefore deny the same.

19 Answering Paragraph 8 of the Complaint, defendants are without knowledge
20 or information sufficient to form a belief as to the truth of the matters asserted therein,
21 and therefore deny the same.

23 Answering Paragraph 9 of the Complaint, defendants deny the allegations

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26 Defendants' Answer to Complaint

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1 contained therein.

2 Answering Paragraph 10 of the Complaint, defendants are without knowledge
3 or information sufficient to form a belief as to the truth of the matters asserted therein,
4 and therefore deny the same.

5 Answering Paragraph 11 of the Complaint, defendants are without knowledge
6 or information sufficient to form a belief as to the truth of the matters asserted therein,
7 and therefore deny the same.

8 Answering Paragraph 12 of the Complaint, defendants are without knowledge
9 or information sufficient to form a belief as to the truth of the matters asserted therein,
10 and therefore deny the same.

11 Answering Paragraph 13 of the Complaint, defendants are without knowledge
12 or information sufficient to form a belief as to the truth of the matters asserted therein,
13 and therefore deny the same.

14 Answering Paragraph 14 of the Complaint, defendants deny the allegations
15 contained therein.

16 Answering Paragraph 15 of the Complaint, defendants deny the allegations
17 contained therein.

18 Answering Paragraph 16 of the Complaint, defendants deny the allegations

1 contained therein.

2 Answering Paragraph 17 of the Complaint, defendants deny the allegations
3 contained therein.

4 Answering Paragraph 18 of the Complaint, defendants deny the allegations
5 contained therein.

6 Answering Paragraph 19 of the Complaint, defendants deny the allegations
7 contained therein.

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10 **AFFIRMATIVE DEFENSES**

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12 By way of further answer to plaintiff's Complaint, defendants assert the
13 following affirmative defenses:

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15 1. Lack of subject matter jurisdiction;

16 2. Lack of personal jurisdiction over defendants Wedeking;

17 3. Improper venue;

18 4. Failure to mitigate damages; and

19 5. Violation of Federal Rule Civil Procedure 11.

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21 **PRAYER FOR RELIEF**

22

23 WHEREFORE, having fully answered plaintiff's Complaint, defendants pray
24 for relief as follows:

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26 Defendants' Answer to Complaint

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1. For dismissal with prejudice of plaintiff's Complaint herein;
2. For their costs and attorney fees incurred in this matter as allowed under any applicable law; and
3. For such other and further relief as the Court deems just and equitable.

DATED this 6th day of July, 2007.

RETTIG OSBORNE FORGETTE, LLP

By /S/ Cheryl R.G. Adamson

CHERYL R.G. ADAMSON,
WSBA #19799
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on July 6, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Robert J. Siegel, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: N/A.

s/ Cheryl R.G. Adamson / WSBA #19799
Attorney for Defendants
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Defendants' Answer to Complaint

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